IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3395 OF 2006

Sambhaji Ghundopant Satoskar
and three others ... Applicants
versus
State of Maharashtra ... Respondent

ALONG WITH
CRIMINAL APPLICATION NO.3396 OF 2006

Ananda Vyankoji Patil & ors. ... Applicants
versus
State of Maharashtra ... Respondent

Shri S.V.Marvadi for applicants.
Shri S.S.Pednekar, APP for respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 18th September 2006

PC :

1. Heard Shri Marwadi for applicants and learned APP for State.

2. One co-operative credit society was allegedly cheated and amounts to the tune of crores of rupees were misappropriated by its Directors and Officers. Upon investigation being completed, the prosecution filed charge sheet firstly in CR

No.89 of 2002 and later on in CR No.79 of 2004.

3. It is not in dispute that the applicants have been arrested as accused in both CRs.. In the earlier CR namely 89 of 2002 the accused-applicants were in custody for 90 days and since charge sheet could not be filed within the stipulated period, they were entitled to statutory benefit. Hence they were enlarged on bail. Shri Marwadi states that identical fact situation emerges as far as present CR No.79 of 2004. Here also the applicants have undergone 90 days' custody and the charge sheet is filed subsequently.

4. The above facts are not disputed by learned APP..

5. Considering the above undisputed facts and further applicants having undergone custody of 90 days, the investigations complete, charge sheet filed and some of the applicants being senior citizens, they deserve to be enlarged on bail.

6. Accordingly, following order :-

(i) The applicant shall be enlarged on bail in connection with C.R.No.34 of 2004 registered at Bhudargad Police Station subject to furnishing a personal bond of Rs.25,000/- (Rs.Twenty five thousand only) each with one or two local sureties in the like sum;

(ii) The applicants shall report to Crime Branch, Sangli, camping at Gargoti, once in a fortnight till trial is concluded;

(iii) The applicants shall furnish their residential address where they propose to reside after bail and during pendency of trial, to the investigating agency before their release, and shall not change their residence without prior intimation to the investigating officer;

(iv) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

(v) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail;

(vi) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(vii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)